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IN THE

Supreme Court of the United States

Original. No. 25. ~~12~~ 4

THE STATE OF NEW MEXICO

v.

THE STATE OF COLORADO

THE AMENDED ANSWER AND CROSS-BILL OF THE STATE OF COLORADO TO THE BILL OF COMPLAINT OF THE STATE OF NEW MEXICO.

WAYNE C. WILLIAMS,
Attorney General of Colorado.

CHARLES ROACH,
Deputy Attorney General.

OLIVER DEAN,
Assistant Attorney General.

Counsel for Defendant, State of Colorado.

[illegible] E. CARPENTER,
Of Counsel.

Clark QUICK Printing Co., Lawrence 3122-24, Denver, Colo.

IN THE

Supreme Court of the United States

Original, No. 25.

THE STATE OF NEW MEXICO

v.

THE STATE OF COLORADO

To the Honorable the Chief Justice and Associate Justices of the Supreme Court of the United States:

The Amended Answer and Cross Bill of the State of Colorado to the Bill of Complaint of the State of New Mexico.

And now comes the State of Colorado, and for its amended answer, filed by leave of this Court, to said bill, says:

I.

This defendant admits that the ground upon which the Court's jurisdiction of the matters set forth in the bill of complaint depends, is that the said bill sets out a controversy between two states of which this Court has original jurisdiction.

II.

This defendant admits that by the legislation of Congress, and by the Constitution of the State of New Mexico under which the said State was admitted into the Union of States, the northern boundary line thereof extends along the 37th parallel of north latitude from the intersection of said parallel with the 32nd meridian of longitude west from Washington in an easterly direction to the point where said

parallel of latitude intersects the 103rd meridian of longitude west from Greenwich, and avers that the State of New Mexico was admitted into the Union of States on the 5th day of January, 1912.

III.

This defendant admits that on the 7th day of July, 1902, Howard B. Carpenter, a United States Surveyor, entered into a contract with the United States to re-survey, re-establish, and re-mark the boundary line between Colorado and the Territories of New Mexico and Oklahoma, and that in pursuance of said contract the said Carpenter did thereafter proceed to re-survey, re-establish and re-mark the said boundary line as is shown by the record and field notes of his work, and admits that said field notes were approved by the then Commissioner of the General Land Office; but defendant avers that said Carpenter survey and his field notes of the said boundary line were never confirmed by the Congress of the United States, nor by either the State of Colorado, or the Territory or State of New Mexico, but that, on the contrary, an effort was made to confirm the said Carpenter survey in the first session of the 60th Congress, by the introduction in the Senate of Senate Joint Resolution No. 78, which passed the Senate and the House of Representatives, and was submitted to the President for his approval, and that the said Joint Resolution was on the 19th day of December, 1908, upon the advice of the Attorney General of the United States, disapproved by the President and returned to the Senate with his objections thereto, which Resolution, upon the same day, was laid upon the table by the Senate, and no further action has since been taken thereon by Congress, and the said Carpenter survey, and boundary line as shown by said field notes, failed to become effective in any respect and was never recognized by the General Land Office of the United States as the boundary line between Colorado and New Mexico. A copy of said veto message of the President is attached to Colorado's original answer on file herein, and by reference thereto is hereby made a part hereof.

IV.

This defendant denies that the line surveyed and established by the said Carpenter, as shown by his field notes, is the true or correct boundary line between the said two states; admits that in disregard of said Carpenter line it has exercised jurisdiction over a considerable amount of territory south of said Carpenter line, and has levied and collected taxes upon property south of said line, and through its Courts, has exercised both civil and criminal jurisdiction over persons and property lying south of said line, but denies that said acts, doings, pretenses or claims of the State of Colorado, or ary of the same, are contrary to equity or good conscience or tend to the manifest or any wrong, injury or oppression of the State of New Mexico, or of its citizens or owners of property within its boundaries, or that said acts or any thereof were or are unlawful or in usurpation of the jurisdiction, rights or authority of said State of New Mexico.

V.

(a) For further defense to said bill of complaint, this defendant avers that in the Act of Congress, approved March 3rd, 1875, enable the People of Colorado to form a Constitution and State Government, and be admitted into the Union (18 Statutes at Large, 474); and also by the Constitution adopted by the vote of the People of Colorado, and under which the State of Colorado was admitted into the Union by Proclamation of President Grant, August 1st, 1876, the 37th parallel of north latitude between the 25th and 32nd meridians of longitude west from Washington, was fixed as the southern boundary line of that State.

(b) That in the year 1859, Captain Macomb, U.S.A., of the Topographical Bureau, under direction of the War Department, established a stone monument, known as the Macomb Monument, to mark the intersection of the 37th parallel of north latitude with the 103rd meridian of longitude west from Greenwich.

(c) Pursuant to authority of an Act of Congress, approved March 2nd, 1867 (14 Statutes at Large, 466), and under a contract with the Commissioner of the General Land Office of the United States, Ehud N. Darling, United States Surveyor and Astronomer, by the most approved methods of the time, surveyed and established in the year 1868, the 37th parallel of north latitude so far as it constituted the boundary line between the Territories of Colorado and New Mexico, from said Macomb Monument westward, and marked the same upon the earth's surface by mile corners and monuments, as appears by the record and field notes of his work, a copy of which is attached to the original answer filed herein by said State of Colorado and by reference thereto is hereby made a part hereof, which field notes of said survey were examined and approved on the 30th day of April, 1869, by the Honorable Joseph S. Wilson, Commissioner of the General Land Office, as appears by his certificate to that effect attached to said field notes.

(d) On June 2nd, 1873, John J. Major, a surveyor and astronomer, entered into a contract with W. W. Curtis, acting Commissioner of the General Land Office of the United States, among other things, to well, truly and faithfully, by astronomical observations and geodetic measurements, establish in its true position so much of the south boundary of the Territory of Colorado as lay between the 25th and 103rd meridians of longitude west of Washington and Greenwich, respectively, as defined in Section 1 of the Act of Congress entitled "An Act to provide a temporary government for the Territory of Colorado" approved February 28, 1861, Stats. at Large, Vol. 12, page 172, and in pursuance of said contract, said Major did thereafter proceed to survey, establish and mark the line of said boundary on the surface of the earth, beginning at the southwest corner of the State of Kansas, and running westerly to what is known as the Johnston Monument (which is about one mile and sixty-two chains westerly from said Macomb Monument), as appears by the record and field notes of his work, a copy of which record and field notes beginning with the opening sentence

thereof and including the part covering said survey from the said Major's 52.5 mile post to said Macomb Monument, together with said Major's oath of his performance of said contract, and the certificate of examination and approval by the Commissioner of the General Land Office of the astronomical observations and computations as well as field notes of the survey of said Major under said contract, is hereto attached and made a part hereof, and which record and field notes, having been examined and found correct, were approved July 29, 1874, by the Commissioner of the General Land Office, as appears by his certificate to that effect attached to said record and field notes. That said 52.5 mile post of said Major is about 21.97 chains easterly from the Preston Monument, hereinafter mentioned and described, and said mile post is the nearest determinable point in said field notes, easterly from said Preston Monument.

(e) In the month of June, 1900, Levi S. Preston, a United States Deputy Surveyor, working under, and in pursuance of an agreement dated October 25, 1899, between Quinby Vance, Surveyor General of the United States for New Mexico, acting for and in behalf of the United States, and said Preston, and under and in pursuance of certain instructions given to him by the said Vance in connection with and made a part of said contract, which contract and instructions had theretofore and on February 2[illegible], 1900, been approved by the Commissioner of the General Land Office of the United States, retraced, re-marked and re-established the survey and line, established by said Major in 1874, from said Macomb Monument easterly for a distance of two miles and 40.53 chains to its intersection with the Cimarron meridian established by Chaney and Smith in 1881, at which point, in pursuance of said contract and said instructions, the said Preston set up a monument (which is sometimes called the Preston Monument) as and for the northeast corner of the Territory of New Mexico and as and for the intersection of said 37th paralled with said Cimarron meridian, which said Cimarron meridian is the boundary line between the States of New Mexico and Oklahoma, and did

establish said portion of said Major line as the north boundary of New Mexico between said Macomb Monument and said Preston Monument; and that thereafter and on May 7, 1901, the field notes and survey of said Preston for said line were accepted and approved by said Quinby Vance as U. S. Surveyor General for New Mexico. A copy of said Preston's record and field notes of his said survey of said portion of the boundary between Colorado and New Mexico is hereto attached and made a part hereof.

(f) Defendant avers that for more than thirty (30) years, the position of said Darling line remained undisputed, and the correctness of its technical execution unquestioned, and as so established the said Darling line has been generally recognized and acquiesced in by both of the States herein involved, and accepted by the Federal government, and is now recognized and accepted by the Federal government as the true and subsisting boundary line between Colorado and New Mexico from said Macomb Monument westward; and by reason of the right and title acquired as hereinbefore set forth, this defendant from the time said boundary was so established in 1868 to the present time, has held lawful and rightful possession of and exercised dominion and sovereignty, and now claims the same, over the territory down to the said southern boundary line as established by the said Darling, and no farther; county lines have been formed, towns and settlements have grown up, school districts, election districts, voting precincts, land districts and water districts have been created with reference to said line, public officers have been elected, property has been assessed, taxes levied and collected under the authority of the State of Colorado, and its courts of both civil and criminal jurisdiction have exercised unquestioned jurisdiction in all places north of said boundary line and the State of New Mexico has exercised like jurisdiction in all places south of said line. County maps, State maps, and maps prepared by the Federal government have for more than forty years last past delimitated said boundary according to said Darling survey, and government post offices have

been established as being in Colorado when above said line, and in New Mexico when below sa l line, and public land surveys on both sides of said line were closed thereon, lands have been disposed of, rights acquired and political boundaries in both Colorado and New Mexico fixed by reference to said line.

(g) That since 1874 the said Major survey and marking of said 37th parallel has been the recognized and accepted south boundary of Colorado from the southwest corner of Kansas westward to said Macomb Monument, and since the acceptance of the Preston survey, retracement and re-marking of the Major line, in the year 1901, as hereinbefore alleged, said Major line as retraced and re-marked by Preston between said Macomb Monument and said Cimarron meridian has been and now is the boundary between Colorado and New Mexico from said Macomb Monument to said Preston Monument.

(h) The 37th parallel of North latitude, as established by Howard B. Carpenter, passes through several towns lying wholly within the State of Colorado, according to the boundary as originally surveyed by Darling, and along the entire line there is a material, and in many places, excessive variance between the lines of said two surveys, and the effect of said Carpenter survey if declared the true boundary line would be to remove a considerable strip of territory which is now within the State of Colorado, according to the Darling survey, and place it in the State of New Mexico. The line attempted to be established by said Carpenter passed 93 links south of said Macomb Monument and 110 links south of said Preston Monument, and departed from the boundary lines established by both Darling and Preston, and said Carpenter line, if adopted, would remove a considerable strip of territory from the State of New Mexico in the vicinity of said Macomb and Preston Monuments and place it in the State of Colorado.

(i) The said Carpenter survey consisted of a new fixation of the 37th parallel of north latitude independent of the

line established by Darling in 1868, and by Major in 1874 (retraced and re-established by Preston in 1900), and not only failed of confirmation by Congress, but the Federal Government up to the present time has declined to recognize the said Carpenter survey as the true boundary line between the said two States, and on the contrary has accepted and still accepts the said Darling and Major surveys as the true and correct boundary line between said two States.

All of which matters and things as hereinbefore stated, this defendant avers to be true and this defendant pleads the same in bar to the bill of complaint, and prays the judgment of the Court whether it shall further answer said bill.

Wherefore, having answered fully all the matters in plaintiff's bill set forth, defendant prays this Honorable Court that the prayer thereof be not granted, but that the lines surveyed, established and marked by the said Darling from said Macomb Monument westward, and the line surveyed, established and marked by said Major, and retraced and re-marked by said Preston, between said Macomb Monument and said Preston Monument, be by this Honorable Court decreed to be the true boundary line between the said two States, and that the said bill be dismissed and the defendant go hence with its costs in this behalf incurred, and that this defendant have such other and further relief as may be found necessary and as to the Court shall seem meet and proper.

AMENDED CROSS-BILL.

And now by way of amended cross complaint and for affirmative relief against the plaintiff, your orator, the State of Colorado, shows to the Honorable the Chief Justice and Associate Justices of the Supreme Court of the United States:

That the true boundary line between plaintiff and defendant is described in the foregoing amended answer and is fully and correctly shown and delineated in the field notes and survey made in 1868, by Ehud N. Darling, attached to the original answer of the State of Colorado herein, and by reference made a part of the amended answer of the State of Colorado and a part of this amended cross-bill, and in the field notes and survey of said John J. Major and in the field notes and survey of said Levi S. Preston, retracing, remarking and re-establishing said Major line from the Macomb Monument to the Preston Monument on the Cimarron meridian, attached hereto and made a part of this amended cross-bill as well as a part of said amended answer; and for this amended cross-bill defendant adopts the allegations of fact contained in the foregoing amended answer and makes the same a part of this amended cross-bill, as fully and to all intents and purposes as if the said allegations were set out in detail in this amended cross-bill; and defendant further avers the said Carpenter in making his said survey destroyed and obliterated many of the monuments and corners established by said Darling in making his said survey.

Wherefore, your orator, to the end that it may obtain the relief to which it is justly entitled, and avoid future controversies in reference hereto, prays the Court to grant unto your orator such process of this Honorable Court as may be appropriate to require the plaintiff, the State of New Mexico, to appear and answer (not under oath, answer under oath being hereby expressly waived) to the several allegations in this amended cross-bill contained; and that upon the final hearing hereof the true southern boundary

line of the State of Colorado and the northern boundary line of the State of New Mexico, be declared and decreed by this Court to be the line established as aforesaid by Ehud N. Darling in the year 1868, and by said Major and Preston in 1874 and 1900 respectively, and as the same is shown by the field notes of their work, attached hereto and to the original answer of the State of Colorado herein, and made a part hereof, and that the defendant have such other and further relief as may be found necessary in order to correctly restore, re-establish and re-mark said lines as the boundary line between the plaintiff and defendant, and as to the Court shall seem meet and proper, and that the defendant have and recover its costs herein incurred.

THE STATE OF COLORADO

By WAYNE C. WILLIAMS,
Its Attorney General.

CHARLES ROACH,
Deputy Attorney General.

OLIVER DEAN,
Assistant Attorney General.

DELPH E. CARPENTER,
Of Counsel.

FIELD NOTES of John J. Major, U. S. Surveyor and Astronomer, of a portion of the southern boundary of Colorado.

"Ran west from the corner of Kansas, Colorado and Indian Territory * * *.

* * * * * * Planted a seasoned pine post 5 feet
52⁵M x 5 in x 5 deeply marked "C, 37 L, 1874. Built mound of earth & stone dug trench. Bearings. A butte S by E distant ¾ mile. A butte N by E distant about 17 chains. Thence gradual decline through valley, land level, soil improving to end of 80 chs. Made excavation planted a seasoned
53⁵M pine post 5 ft x 5 x 5 in deeply marked "C "37 L, 1874. Built mound of earth with trenches & pits. Bearings Mountain butte S 33° 30′ W distant 1 mile. Lone symetrical butte N 77° 40′ E distant ¾ miles. Thence through valley, the latter part of mile just north of high mountain; 80 Chs terminating on north edge of mountain side among
54⁵M very large boulders. Could get no bearings. Built monument of stone; marked large boulder on South of line, but north face "37 L, another north of line and south face "C, 1874. Mag. Variation 13° E at 2 P. M. Begin very steep ascent 260 feet to top of bluff and over narrow neck of ridge putting down N by E. 20 chs to edge of steep side of mountain, almost perpendicular descent 200 ft. to small valley at 40 chs. This valley heads a short distance South and bears down N.N.E to a larger one that comes from W to E, then turns to S.E. and S. Thence up mountain side over rocky slope 62.50 chs near north end of rocky cliff cross and descend to small valley and ascend
Macomb's Monument 250 ft to east edge of mountain and *Capt. Macomb's monument* to mark the 103d Meridian.
55M It is a large stone monument 10 feet in diameter

22½c at base 8 feet high and cap stone marked 'C.N.M. IT.1868'. Removed the monument for further information but found none. Mr. Darling had built over Macomb's original monument. Rebuilt this monument so that it stands as Darling left it. . . .

. . . .

"I, John J. Major, U. S. Astronomer & Surveyor do solemnly swear that in pursuance of a contract with the Commissioner of the General Land Office bearing date June 2, 1873, and in strict conformity to the Specjal Instructions of the Commissioner have faithfully surveyed and marked that portion of the Southern Boundary of Colorado, included between the 25th Meridian west from Washington and the 103d Meridian west from Greenwich, also that portion of the Boundary of New Mexico embraced between the parallels of 36° 30′ & 37° and do further swear that the foregoing are the true and original field notes of such survey.

John J. Major
U. S. Astronomer & Surveyor.

"Subscribed by said John J. Major, U. S. Astronomer & Surveyor and sworn to before me, a justice of the peace of the District of Columbia this 25" day of July, A. D. 1874.

J. Tyler Powell (SEAL)
Justice of the Peace.

"Department of the Interior
General Land Office.

Washington, D. C. July 29, 1874.

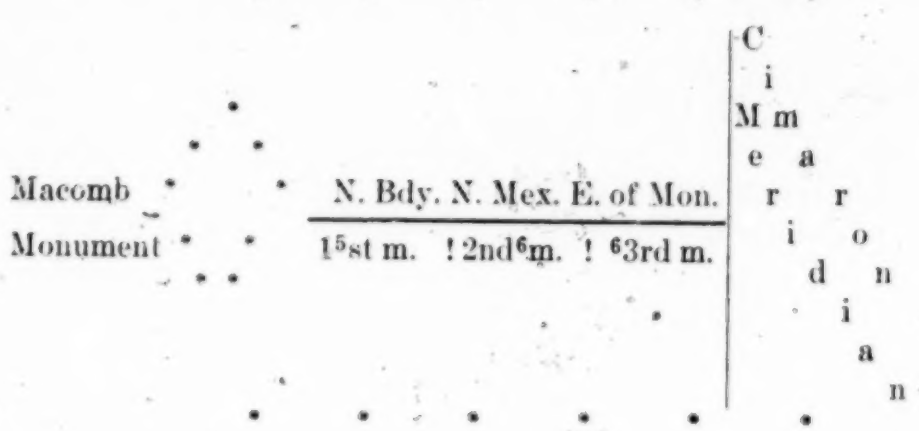
The foregoing astronomical observations and computations as well as field notes of the survey of that portion of the Southern Boundary of Colorado Territory included between the 25th Meridian West from Washington and the 103rd Meridian West from Greenwich, also of that portion of the Eastern boundary of the Territory of New Mexico lying between the 36° 30′ and 37° parallel of North Latitude, as executed by John J. Major, Astronomer and Surveyor, in conformity with his contract with the Commissioner of the General Land Office, bearing date June 2d, 1873, having been examined and found correct, are hereby approved.

S. S. Burdett
Commissioner."

"FIELD NOTES
OF THE SURVEY OF
A PORTION OF THE BOUNDARY LINE
BETWEEN COLORADO
and
New Mexico.

As Surveyed by
Levi S. Preston, U. S. Deputy Surveyor,
Under his Contract No. 336, dated October 25, 1899.

Survey commenced.....June 28, 1900;
Survey completed.....June 29, 1900;



CHAINS

"RETRACEMENT OF PORTION OF N. BD'Y
OF NEW MEXICO.

From the point on State line bet. Rs. 36 and 37 E., whence the Macomb monument, heretofore described, bears West 48.43 chs. dist. in plain sight; I turn angle of 90° and run

West on random line on boundary line bet. Colorado and N. Mexico.

48.43 To monument established by Capt. Macombe in 1859 and heretofore described.

127.93 To 1st mile stone West of Macombe monument, Sandstone 8+9+28 ins. in mound of stones marked 1 M. on E., N. M. on S. and Col. on N. Face and

CHAINS

properly witnessed by mound of stone, bears N. 20 lks. dist.

196.58 The monument established by Lt. Col. Johnson in 1857, bears N. 70 lks. dist.; a mound of earth 15 ft. base, 1 ft. high with grass growing on same and surrounded by a circular trench 24 ft. in diam. also find sandstone 24+10+5 ins. lying near, marked 103° L., 37° L., N. M. MAJOR 1874, evidently stone set in Johnsons Monument by Major in 1874.

I reset stone in center of mound so that it reads

'103° L. on E.
'1874' N. M. Major on W.

37° L. on N. as described in field notes furnished me by the Surveyor General. I therefore conclude that the corner established by Macomb in 1859 was formerly used as the N. E. Cor. of New Mexico in running the Colo. and N. M. bdy. I find the course from Macomb Monument to first mile to be N. 89° 51′ W. 79.50 chs. Thence N. 89° 35′ W. 68.65 chs. to Johnson Monument.

June 28th, 1900.

"SURVEY OF A PORTION OF N. BDY. OF N. MEX.

On June 29, 1900, I set up at the monument established by Capt. Macomb, heretofore described at Oh. 47m. a. m. to 1h. Om. a. m., 1 m.t., I observe Polaris at Eastern elongation, in accordance with manual of instructions and mark the line thus determined by tack in peg set firmly in ground 5 chs. N. of my station.

At 7h. a. m., 1 m.t., I lay off azimuth of Polaris 1° 32′ to the West and drive tack in peg 5 chs. North on the true meridian thus established. The magnetic bearing of said true meridian at 7 a. m., 1 m.t., is N. 12° 24′ W. The angle thus

CHAINS

determined reduced by table on page 100 of the 1894 manual gives mean mag. decl. 12° 21′ E. I then turn angle 90° and run

East on true line on boundary line bet. Colorado and New Mexico.

1.00 E. edge of mesa, bears N. and S.
Descend.

13.43 Arroyo 50 links wide, in bottom of canon, course N. Ascend.

18.00 Point of mesa bears N. and S.
Descend.

33.00 Arroyo in bottom of canon 75 links wide, course S. Ascend.

48.43 To point of intersection of line bet. Rs, 36 and 37 E. heretofore described.
Ascend.

56.33 W. edge of mesa, bears N. W. and S. E.; thence over mesa covered with scattering pinons.

58.40 E. edge of mesa, bears N. W. and S. E.
Descend slope.

68.00 Bottom of slope, bears N. and S.

80.00 Set sandstone 20+15+9 ins. 15 ins. in ground for 1 mile stone on North boundary of New Mexico East of the Macomb monument at a point (7) links N. of tangent to parallel marked 1 M. E. on W. N. M. on S. and Col. on N. faces; dug pits 24+18+12 ins. E. and W. of cor. crosswise of line 4 ft. dist. and raised mound of earth and stones 4 ft. base. 2 ft. high N. of cor.
Land mountainous.
Soil 4th and 3rd rate.
Timber scattering pinons and cedars.
Mountainous land. 80 chs.

Thence East on true line on 2nd Mile East of Macomb monument, along foot of mesa.

CHAINS

30.00 Amongst large boulders at foot of North slope of mesa.

50.00 Leave large boulders.

80.00 Set sandstone 20+15+6, ins. 15 ins. in ground for 2nd mile stone on N. bdy. of N. Mex. East of Macomb monument at (2.8) links North of tangent to parallel, marked 2 M. E. on W., N. M. on S. and COL on N. faces; dug pits 24+18+12 ins. E. and W. of cor. 4 ft. dist. crosswise of line and raised mound of earth 4 ft. base, 2 ft. high N. of cor.
Land rolling valley and mesa slope.
Soil 2nd and 3rd rate.
No timber.
Mountainous land 50. chs.

Thence East on true line on fract'l 3rd mile East of Macomb monument over rolling valley.

40.53 Intersect Cimarron Meridian 14.11 chs. South of monument erected by Smith and Chaney. A sandstone 50+14+14 ins. above ground marked, '103 W. L.' on S., '37 N. L.' on E. 'COLORADO' on N., and '1881' on W. faces, as described in field notes furnished me by the Surveyor General, at a point (5) links N. of tangent to parallel. I set sandstone 60+12+12 ins. 36 ins. in ground, for closing cor. of boundary line between Colorado and New Mexico, on Cimarron Meridian as per special instructions from the Surveyor General, marked 'N. E. Cor. N. M.' on S.,

'C. C.

'C. M.' on E., 1900' on W. and 'COLO.' on N. faces; dug pits 30+24+12 ins. N. and S. of cor. 4 ft. dist. and W. of cor. 8 ft. dist. and

CHAINS

raised mound of earth and stones 4 ft. base, 2 ft. high W. of cor.

From + marked on top of stone the cor. to secs. 18 and 19 T. 6 N., R. 1 E. in Oklahoma, which is in plain sight, bears S. 1 M. 28.60 chs. dist.

A Butte bears S. 59° 09′ E. 3 miles dist.

A Butte bears S. 40° 35′ E. 1½ M. dist.

Sugar Loaf butte bears S. 62° 50′ W. 1½ miles dist.

Land rolling valley.

Soil 2nd rate.

Good grass.

No timber.

June 29, 1900.

"FINAL OATH OF U. S. DEPUTY SURVEYOR.

I, Levi S. Preston, U. S. Deputy Surveyor, do solemnly swear that in pursuance of a contract received from Quinby Vance, Esq., U. S. Surveyor General for New Mexico, bearing date of the twenty-fifth day of October, 1899, I have well, faithfully, and truly in my own proper person, and in strict conformity with the instructions furnished by the U. S. Surveyor General for New Mexico, the Manual of Surveying Instructions and the laws of the United States, surveyed all those parts or portions of the boundary line between Colorado and New Mexico, and retracement of part of the N. bdy. of New Mexico, of the principal base and meridian in the Territory of New Mexico, which are represented in the foregoing field notes as having been surveyed by me and under my direction; and I do further solemnly swear that all the corners of said survey have been established and perpetuated in strict accordance with the Manual of Surveying Instructions and the special written instructions of the U. S. Surveyor General for New Mexico, and in the specific manner described in the

field notes, and that the foregoing are the *true* field notes of such survey; and should any fraud be detected I will suffer the penalty of perjury under the provisions of an act of Congress approved August 8, 1846.

Levi S. Preston,
U. S. Deputy Surveyor.

Subscribed by said Levi S. Preston and sworn to before me this 30th day of July, 1900.

A. L. Hobbs, Probate Clerk.
(SEAL) By W. M. Oliver, Deputy.
R. S.

"APPROVAL.

Office of the U. S. Surveyor General.
Santa Fe, N. Mex. May 7" 1901.

The foregoing notes of the survey of a portion of the Boundary Line between Colorado and New Mexico, and retracement of a portion of the North Bd'y of New Mexico, as executed by Levi S. Preston, U. S. D. S., under his Contract No. 336, dated Oct. 25, 1900 [1899], having been critically examined, and the necessary corrections and explanations made, the said field notes, and the surveys they describe, are hereby approved.

Quinby Vance,
U. S. Surveyor General.

"I certify that the foregoing transcript of the field notes of the survey of a portion of the boundary line between Colorado and New Mexico, and retracement of a portion of the North boundary of New Mexico, in the Territory of New Mexico, has been correctly copied from the original notes on file in this office.

Quinby Vance,
U. S. Surveyor General."